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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11	HIRAM E. SUMMERS,	)	Case No. CV 07-1027 DOC(JC)
12	Petitioner,	)	ORDER ADOPTING FINDINGS,
13	v.	)	CONCLUSIONS, AND
14	A. MALFI, Warden,	)	RECOMMENDATIONS OF
15	Respondent.	)	UNITED STATES MAGISTRATE
16		)	JUDGE

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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the operative First  
19 Amended Petition for Writ of Habeas Corpus by a Person in State Custody (the  
20 "Petition"), all of the records herein, and the attached Report and  
21 Recommendation of United States Magistrate Judge. The Court approves and  
22 adopts the United States Magistrate Judge's Report and Recommendation.

23 IT IS HEREBY ORDERED that Judgment be entered denying the Petition  
24 and dismissing this action with prejudice.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the  
2 United States Magistrate Judge's Report and Recommendation, and the Judgment  
3 herein on petitioner and counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

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6 DATED: July 28, 2010

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HONORABLE DAVID O. CARTER  
10 UNITED STATES DISTRICT JUDGE  
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